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October 24, 2005

Hon. Leon Drolet
State Representative
N0797 House Office Building
P.O. Box 30014
Lansing, MI 48909-7514

Re: House Bill 5281

Dear Representative Drolet:

Please be advised that I do not support H.B. 5281.

The intent of Chapter 21 of the Drain Code is to provide an expedient process to improve drainage and flood relief on the basis of public health. For this reason, apportionments of the project cost are directly levied by the intercounty drainage board against the benefiting public corporations (cities, township and villages) on an at-large basis and not to the individual property owners. Counties and the State are also assessed at large for benefits to county roads and state highways. The most important and sometimes controversial decision of the drain board is establishing the apportionments of a project cost.

HB 5281 proposes a fundamental change in the decision making process. The bill proposes to augment the Chapter 21 drainage board to include representatives from public corporations that would be assessed for the cost of a project. To permit public corporations who are receiving an assessment to both petition for an improvement and be directly represented as a voting member on the drainage board could interject a financial bias that is contrary to the best interests of the public health. In essence, this bill would authorize a conflict of interest. For this reason, I oppose this bill.

For further information, please contact Joseph W. Colaianne, at (248) 452-2027.

Very truly yours,

John P. McCulloch